

## **Issue Paper Project Inspector Replacement Process**

### **ISSUE:**

Successful completion of project inspection is essential for timely project certification. Important inspection functions include timely submission of semi-monthly reports, identification of non-compliant construction, documentation of materials testing and submission of final verified reports. Although school project owners are required to retain and maintain a DSA-certified project inspector for each construction project, it is not uncommon for the inspector assignment to change.

A replacement of an inspector during construction and prior to project completion, without proper transition, can be disruptive and detrimental to project certification. Documentation may indicate a gap in project inspection, precluding certification of construction project by the DSA.

DSA is proposing regulation changes that would provide a process for an orderly transition from outgoing project inspector to incoming inspector. This process would ensure that the replacement of inspectors is properly documented and work does not proceed without a DSA-approved inspector.

### **BACKGROUND:**

At the February 9, 2012 Committee meeting, the DSA introduced proposed regulations for a reporting process that would establish an orderly transition between outgoing and incoming inspector. This process could minimize the disruptions to project inspection and resulting certification challenges.

### **DSA PROPOSAL:**

Based on input received, the DSA, revised its regulation proposal with the following changes:

1. The DSA proposes to clarify section 4-333, "Observation and inspection of construction" to clarify that project inspector assignment may change before project completion. This is accomplished in new item 4-333 (b) 6, as shown below.
2. The DSA proposes to amend language to clarify that DSA may withdraw the approval of the project inspector for non-compliance with duties prescribed by the Field Act and DSA regulations. This is accomplished in item 4-333 (b) 7, as shown below.
3. As part of the changes to section 4-333, regarding inspector's responsibilities, the DSA is proposing to remove a reference to "conformance with accepted inspection standards" as it is ambiguous. Instead, the DSA proposes a reference to section 4-342(b) which outlines the project inspector duties and responsibilities in accordance with the Field Act.
4. The proposal removes the 10-day requirement for submitting project inspector information for DSA approval. Instead, the regulations would contain a general requirement of DSA approval of project inspectors prior to construction. This would allow DSA to develop procedures for inspector approval that reflect the type and complexity of the project. For example, a complex project requiring a specific skill and experience set may warrant longer approval period vs. a project consisting of non-structural alterations or small scope.
5. The proposal does not modify content regarding approval of special inspectors, except for editorial changes. These issues are dealt with in a separate item regarding supervision of special inspectors by an approved testing facility.

**PROPOSED REGULATION CHANGES:****Section 4-333. Observation and Inspection of Construction.**

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**(b) Inspection by Project Inspector.**

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6. An approved project inspector may be replaced in accordance with the process outlined in Section 4-341(d)3. The school district shall ensure that a replacement inspector is provided prior to commencement of construction work. DSA may withhold approval of the replacement inspector until a verified report by the previous project inspector is submitted in accordance with Section 4-336(c)5. An approved project inspector may be removed and replaced if the work performed is not in conformance with accepted inspection standards, as determined by the school district and the project architect and engineer with the concurrence of DSA. An approved project inspector may also be removed by DSA if the inspection work performed is not in conformance with accepted standards; see Section 4-342.

7. The DSA may withdraw the inspector's approval for the project due to failure of project inspector to comply with the requirements contained in Section 4-342(b). The DSA shall communicate the withdrawal of the project inspector's approval in writing to the school district and the responsible architect or engineer. The school district shall ensure that a replacement inspector is provided prior to commencement of construction work.

**4-341. Duties of the architect, structural engineer, or professional engineer.**

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(d) **Approval of Inspectors.** The school district or architect or registered engineer in general responsible charge shall ~~submit to DSA:~~ obtain DSA approval for a project inspector, assistant inspector, and a replacement inspector, if any, prior to commencement of construction work, as applicable and in accordance with the project inspector approval process specified by the DSA. The following shall be submitted to the DSA:

1. The name of the person proposed as project inspector of the work, together with an outline of his or her experience and pertinent qualifications on a Project Inspector Qualification Record (Form DSA-5), at least 10 days prior to the time of starting in accordance with project inspector approval process specified by the DSA.
2. ~~When an assistant inspector is used: the~~ The name of the any proposed assistant inspector together with an outline of his or her experience and pertinent qualifications on an Assistant Inspector Qualification Record (Form DSA-5A) must be submitted at least 10 days prior to the use of the assistant inspector in accordance with project inspector approval process specified by the DSA.
3. ~~When a special inspector is used, the~~ The name of the any special inspector to be used in accordance with Section 4-333(d)5.
4. When a replacement project inspector is retained, the name of the person proposed as the new project inspector of the work, together with an outline of his or her experience and pertinent qualifications on a Project Inspector Qualification Record (Form DSA-5).

The DSA approval of the new inspector must be obtained prior to removal of the previous project inspector.

DSA forms are available on the Internet at [www.dgs.ca.gov/dsa](http://www.dgs.ca.gov/dsa), or at any DSA regional office.

The responsible architect or ~~registered~~ engineer shall provide general direction of the work of the project inspector and shall immediately notify the school board and DSA by letter if the project inspector is found to be unable or unwilling to perform such duties properly. This notification shall include a statement as to whether the responsible architect or ~~registered~~ engineer is recommending that DSA withdraw its approval of the project inspector and that the school board terminate the inspector's employment. Upon concurrence by DSA with the recommendation of the responsible architect or ~~registered~~ engineer, the DSA will communicate the withdrawal of the project inspector's approval in writing to the inspector, school district and the responsible architect or engineer. ~~is automatic.~~ Upon completion of a terminating verified report, the inspector's duties and responsibilities for the project are ended.

In view of the architect or ~~registered~~ engineer's responsibilities for directing the activities of the inspector, such responsible architect or ~~registered~~ engineer shall review and evaluate the inspector's qualifications before recommending the approval of the inspector to DSA.

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